

REMARKS

Claims 1 – 18 are pending in this application. No new matter has been added.

Upon entry of the present remarks, claims 1 – 18 will be pending.

1. THE REJECTIONS UNDER 35 U.S.C. § 103 SHOULD BE WITHDRAWN

To establish a *prima facie* case of obviousness, the prior art reference must teach or suggest all the claim limitations. *M.P.E.P. 2143*. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is a suggestion found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. *M.P.E.P. 2143.01*.

1.1 THE CLAIMS ARE NOT OBVIOUS OVER LEIBOWITZ, YOKOYAMA, CHAE AND OKADA

Claims 1–5, 7–16 and 18 are rejected under 35 U.S.C. § 103(a) as allegedly being obvious over US 4,500,173 to Leibowitz *et al.* (“Leibowitz”), US 6,507,379 to Yokoyama *et al.* (“Yokoyama”), US 6,819,368 to Chae (“Chae”) and US 6,788,361 to Okada *et al.* (“Okada”). Applicants traverse the rejection.

Leibowitz, Yokoyama, Chae and Okada, taken singly or in combination, do not teach or suggest all the limitations of Applicant’s claimed subject matter. Applicants have sought to provide a lighting system, and a display comprising a backlighting unit, which includes a passivation layer that prevents moisture from entering the light emitting element. *See* application, *e.g.*, p. 5, ll. 12 – p. 3, ll. 3. None of Leibowitz, Yokoyama, Chae or Okada teaches or suggests “a light emitting element located on the substrate,” a first electrode is located on the

surface of the light emitting element opposite the substrate, and “a passivation film located on the first electrode.”

Leibowitz teaches a backlighted liquid crystal display having an electroluminescent backlight with a reduced amount of phosphor dispersed in a binder. *See* Leibowitz, *e.g.*, Abstract. The electroluminescent backlight includes first and second transparent panel electrodes and an electroluminescent layer sandwiched between the electrodes. *See* Leibowitz, *e.g.*, col. 5, ll. 36 – 50. Leibowitz does not teach or suggest Applicants’ lighting system comprising a light transmittance-type passivation film that covers the entire surface of an electrode of a light emitting element in the manner of Applicants’ claimed subject matter. Therefore, Leibowitz’s backlighted liquid crystal display exhibits the limitations of the prior art lighting systems that Applicants have specifically sought to overcome, where the light emitting element is susceptible to moisture damage. Neither does the Examiner contend that Leibowitz teach Applicants’ lighting system comprising a light transmittance-type passivation film. Rather, the Examiner specifically points to column 2 lines 18–30 of Chae as supposedly teaching “a passivation layer located on the electrode to provide insulation.” However, the combination of Leibowitz and Chae does not teach or suggest Applicants’ claimed subject matter.

Chae teaches a modified substrate for an active matrix liquid crystal display, which comprises a passivation layer formed on the gate insulating film of an integrated circuit comprising a transistor and a capacitor. *See* Chae, *e.g.*, col. 1, ll. 20–35; col. 2, ll. 23 – 25 and col. 4, ll. 66 col. – 5, ll. 1. A pixel electrode is formed on Chae’s passivation layer, and is connected directly to the transistor so that the transistor can drive the pixel. *See* Chae, *e.g.*, col. 2, ll. 31 – 39 and col. 5, ll. 7 – 13. However, Chae’s disclosure merely teaches how to make an

active-matrix display with a wider liquid crystal pixel area due to the difference in packing of the transistor and capacitor on the modified substrate. Chae does not teach or suggest Applicants' lighting system or backlighting unit comprising a light transmittance-type passivation film that covers the entire surface of an electrode of a light emitting element. Moreover, there is no motivation in either Liebowitz or Chae to modify the teachings of either reference to obtain Applicants' claimed subject matter. Chae teaches how to increase the available area of an active-matrix liquid crystal display through closer packing of the transistor and capacitor circuit elements on the modified substrate. Chae's passivation layer is present to isolate the active matrix integrated circuitry from the liquid crystal display. Applicants submit that the combination of Chae's modified substrate with Leibowitz's backlighted liquid crystal display does not arrive at or suggest Applicant's claimed subject matter.

The combination of Yokoyama and Okada with Chae and Leibowitz still does not teach or suggest all of the limitations of Applicants' lighting system or display comprising a backlighting unit. Yokoyama teaches a liquid-crystal projection device including an organic electroluminescent element consisting of successive layers of blue, green and red luminescent layers. *See* Yokoyama, *e.g.*, col. 7, ll. 40 – 44. Okada teaches a polymer-type organic electroluminescent element for use in an electroconductive liquid crystal element. *See* Okada, *e.g.*, col. 3, ll. 9 – 24. As such, neither Yokoyama nor Okada cure the deficiencies of Leibowitz and Chae, whether taken singly or in combination. Accordingly, Applicants respectfully submit that claims 1–5, 7–16 and 18 are not obvious over Leibowitz, Yokoyama, Chae and Okada, because the combination of Leibowitz, Yokoyama, Chae and Okada does not teach or suggest all of the limitations of claims 1-5, 7-16 and 18.

In view of the foregoing, the rejection of claims 1–5, 7–16 and 18 under 35 U.S.C. § 103(a) as obvious over US 4,500,173 to Leibowitz *et al.*, US 6,507,379 to Yokoyama *et al.*, US 6,819,368 to Chae and US 6,788,361 to Okada *et al.* should be withdrawn.

1.2 THE CLAIMS ARE NOT OBVIOUS OVER LEIBOWITZ, YOKOYAMA, CHAE AND OKADA IN VIEW OF KOMATSU

Claims 6 and 17 are rejected under 35 U.S.C. § 103(a) as allegedly being obvious over US 4,500,173 to Leibowitz *et al.* (“Leibowitz”), US 6,507,379 to Yokoyama *et al.* (“Yokoyama”), US 6,819,368 to Chae (“Chae”) and US 6,788,361 to Okada *et al.* (“Okada”) in view of US 6,791,260 to Komatsu *et al.* (“Komatsu”). Applicants traverse the rejection.

Applicants have previously pointed out that Leibowitz, Yokoyama, Chae and Okada, taken singly or in combination, do not teach or suggest all the limitations of Applicant’s claimed subject matter. Applicants also submit that Komatsu does not cure the deficiencies of Leibowitz, Yokoyama, Chae and Okada. Komatsu teaches an inexpensive organic electroluminescent element for a dot matrix electroluminescent device. *See* Komatsu, *e.g.*, col. 3, ll. 8 – 15. Komatsu’s device comprises an array of electrodes separated by an insulating layer. *See* Komatsu, *e.g.*, Fig. 1 and col. 6, ll. 13 – 39. Komatsu neither teaches nor suggests a lighting system comprising a light transmittance-type passivation film that covers the entire surface of an electrode of a light emitting element, in the manner of Applicants’ claimed subject matter. Therefore, claims 6 and 17 are not obvious over Leibowitz, Yokoyama, Chae, Okada and Komatsu, because the combination of Komatsu with Leibowitz, Yokoyama, Chae and Okada does not teach or suggest all of the limitations of claims 6 and 17.

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Response dated July 5, 2005

Response to Office Action of May 04, 2005

In view of the foregoing, the rejection of claims 6 and 17 under 35 U.S.C. § 103(a) as obvious over US 4,500,173 to Leibowitz *et al.*, US 6,507,379 to Yokoyama *et al.*, US 6,819,368 to Chae and US 6,788,361 to Okada *et al.* in view of US 6,791,260 to Komatsu *et al.* should be withdrawn.

CONCLUSION

Applicants respectfully request entry of the foregoing remarks into the file of the application. Applicants believe that each ground for rejection has been successfully overcome or obviated, and that all pending claims are in condition for allowance. Withdrawal of the Examiner's rejections, and allowance of the application, are respectfully requested.

AUTHORIZATION

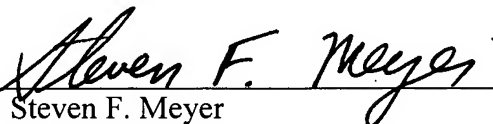
The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 5000-5112. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, the Commissioner is requested to grant a petition for that extension of time to make this response timely, and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 5000-5112. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
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Dated: July 5, 2005

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